

REMARKS

In the Office Action mailed June 3, 2005, claims 1-60 were rejected under 35 USC 103(a) as being unpatentable over Mages et al (5,892,825 or 6,185,306) in view of any of Secord et al (6,373,831), Patel (6,373,455) or Foladare et al (5,819,160). In response, Applicants have cancelled claims 13 and 37, and amended claims 1-12, 14-20, 22-26, 32, 35-36, 39, 49-56, and 58-60.

All amendments are fully supported by the original disclosure. No new matter has been introduced.

Accordingly, claims 1-12, 14-36, and 38-60 are pending, and believe for reasons set forth below, to be in condition of allowance.

With respect to claim 1, it has been amended to require the media player adapted to initiate the receiving of the second portion (from the second computing device) without reference the first file portion to identify the second computing device.

In contrast, Mages is directed towards a method of triggering video imaging and/or audio data on a "HyperCD". Under Mages, video and/or audio data are distributed via a CD in an encrypted form with critical information removed (first portion). The CD additionally contains programs (associated with the first portion) for directly and automatically connecting the end-user's computer to a targeted server (URL) to retrieve the removed critical information and the decryption key(s). (See Abstract).

As further explained in col. 6, lines 40-60, these additional programs (integrally provided with the first portion of the video/audio data) automatically call up and connect the end user's computer to the host computer, automatically find the end user's browser, call the user's ISP, pass the necessary links from the CD-ROM to the user's browser in order to get the host's web page. The user eventually obtains the removed critical information and decryption information by interacting with the host's web page through the user's browser.

Accordingly, Mages teaches a method where the obtaining of the second portion of the video and/or audio data is tightly coupled to, or dependent on, the first portion of the video and/or audio data. Thus, Mages does not suggest the method of claim 1, wherein the receiving of the second portion of the media file is performed by a media player of the portable computing device, independent of the first portion of the medial file.

Therefore, Mages fails to suggest the method recited in claim 1.

None of Secord, Patel, and Foladare remedies the above discussed deficiency of Mages. Therefore, claim 1 remains patentable over Mages, even when combined with any of the Secord, Patel, and Foladare.

Independent claims 15, 26, 32, 39, 51 and 53 have been amended to contain in substance the same recitations discussed earlier with respect to claim 1. Accordingly, for at least the same reasons, claims 15, 26, 32, 39, 51 and 53 are patentable over Mage, individually, or in combination with any of Secord, Patel, and Foladare.

Claims 2-12, 14, 16-25, 27-31, 33-36, 38, 40-50, 52, and 54-60 depend on either claim 1, 15, 26, 32, 39, 51 or 53, incorporating limitations respectively. Thus, for at least the same reasons, claims 2-12, 14, 16-25, 27-31, 33-36, 38, 40-50, 52, and 54-60 are patentable over Mage, individually, or in combination with any of Secord, Patel, and Foladare.


Conclusion

In view of the foregoing, claims 1-12, 14-36, and 38-60 are all in condition of allowance. Early issuance of Notice of Allowance is respectfully requested.

Please charge any fees required for this submission to deposit account 500393.

Respectfully submitted,
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